

## REMARKS/ARGUMENTS

The Applicant originally submitted Claims 1-20 in the application. No claims have been amended, canceled, or added. Accordingly, Claims 1-20 are currently pending in the application.

### **I. Rejection of Claims 1-20 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,943,416 to Gisby in view of obviousness. Gisby is directed to an automatic survey system for a call center. (Column 2, lines 54-55). A call center is adapted to select calls on a preprogrammed basis for possible participation in a survey. Selected calls are transferred to an interrogation point where the callers are asked if they will participate. Those callers who do not wish to participate are routed by normal routing rules and those callers who do wish to participate are transferred according to survey routing rules. After transaction with an agent, the call is transferred to a survey point where the survey is conducted. (Abstract).

The Examiner asserts that Gisby teaches transferring a telephone call to a subsequent (surveyer) party. (Examiner's Action, page 2). Gisby, however, does not teach or suggest in response to termination of a telephone call by a called party, signaling call transfer circuitry to transfer the telephone call to a subsequent party without requiring equipment associated with the called party to cause the transfer. (Claims 1, 8 and 15). Instead, Gisby may transfer a call from a target agent to a surveyor based on a caller's response to participate in a survey. (Column 6, lines 60-62). If the caller indicates a willingness to participate in the survey, then the caller may remain on-hold after a transaction with a target agent has occurred and is then transferred to the survey point. (Column 6, line 66 to Column 7, line 21). This differs from the invention associated with

Claims 1, 8 and 15 since a telephone call is not transferred from a called party to a subsequent party in response to termination of the telephone call by the called party.

Additionally, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made that a switch in a integrated telephony communications network would detect a telephone call termination in order to release resources or perform billing processes. (Examiner's Action, page 2). Gisby, nevertheless, does not teach or suggest signaling circuitry, associated with a call termination detector and dissociated from a called party, that, in response to termination of a telephone call by the called party, signals call transfer circuitry to transfer the telephone call to the subsequent party without requiring equipment associated with the called party to cause the transfer. (Claims 1 and 15). Gisby teaches an integrated telephony-communications network 11 including a call center 19 that receives calls through a switch 21 which is connected to switch 17 of the PSTN 13. A computer processor 23 is linked to the switch 21 to provide computer enhancements to the call center 19. (Column 4, lines 5-44 and Figure 1). The computer processor 23, nor other components of the integrated telephony-communications network 11, however, are not the signalling circuitry as recited in Claims 1 and 15. The combination, therefore, of Gisby with the knowledge of one skilled in the art at the time the invention was made does not teach each and every element of Claims 1 and 15.

As discussed above, Gisby fails to teach or suggest all of the elements of the inventions recited in independent Claims 1, 8 and 15 and Claims dependent thereon. The Examiner, therefore, has failed to establish a *prima facie* case of obviousness with respect to these Claims. Accordingly, the Applicants respectfully request the Examiner withdraw the §103(a) rejection and pass Claims 1-20 to issue.

## II. Comment on Cited References

In view of the above discussion, the Applicants reserve further review of the reference cited but not relied upon if relied upon in the future.

## III. Conclusion

In view of the foregoing remarks, the Applicants now see all of the claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-20. The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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